IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.6431 of 2003

United India Insurance Co.Ltd. Petitioner
Vs.
Vasant Raja Waghmare & ors. Respondents

Mr.Sunil V. Chaubal for petitioner.
Mr.V.S.Gharad for Resp.No.1.

CORAM: B.H.MARLAPALLE,J.

June 28, 2006.

P.C.

. Heard Mr.Chaubal, the learned counsel for the petitioner-Insurance Company and Mr.Gharad, the learned counsel for the claimant-respondent no.1. By the impugned order dated 5/2/2003, the learned Member of the Motor Accident Claims Tribunal at Raigad-Alibag was pleased to allow the application under Section 140 of the Motor Vehicles Act, 1988 by granting an amount of Rs.25,000/- towards the No Fault Liability.

. The learned counsel for the petitioner - Insurance Company has stated that the Medical Certificate does not give the final permanent disability assessment and the learned counsel further states that the accident that had taken place on 10th April 2000 did not result into any permanent

disability under the Motor Vehicles Act, 1988.

. In any case Accident Claim Petition No.173 of 2002 has been pending for the last about 4 years and there is no reason why the same cannot be decided within a fixed period and before 31st December 2006.

. It is, therefore, directed that MAC Petition No.173 of 2002 be heard and decided as per law by 31st December 2006. The amount directed to be paid by the impugned order shall be deposited within two weeks by the petitioner-Company with the Claims Tribunal and the same shall be disbursed to the respondent no.1, if he is able to prove by evidence that he has suffered permanent disability and in any case the said amount is always adjustable against the final compensation payable.

. The petition is disposed off in terms of the above directions.

(B.H.MARLAPALLE,J.)